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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: John E. Sims

Docket No.: 0315-C

Serial No.: 09/965,640

Group Art Unit: 1646

Filing Date: September 27, 2001

Examiner: O. Chernyshev

For: IL-1 Delta DNA and Polypeptides

9/a
M.G.J
1/15/03

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to an Office Action having a mailing date of November 25, 2002, in which the Examiner restricted the invention into groups I and II and required Applicant to elect one of the inventions set forth by the Examiner, Applicants elect the invention of Group I, claims 1 though 9, drawn to a method for screening test compounds to determine whether the test compounds affects a biological activity of IL-1 epsilon.

In view of the election and amendment, Applicant requests favorable consideration and speedy allowance of the claims.

Respectfully submitted,

Patricia Anne Perkins
Registration No. 34,693

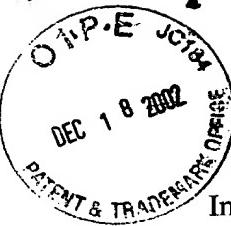
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

Date: December 13, 2002

By:
Camilla C. Edwards



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PRELIMINARY AMENDMENT

Sir:

In response to an Office communication having a mailing date November 25, 2002, applicant requests that the claims be amended as shown below, and examined. Please amend claims 1 and 4 through 9 to read as follows. A marked-up copy of the claims is appended hereto. In the marked-up copy, material to be deleted is marked with a strikethrough (~~strikethrough~~) and material to be inserted is underlined.

Jul 8/02
a 1. A method of treating an individual afflicted with an inflammatory and/or autoimmune disease comprising administering to the individual an IL-1 delta polypeptide selected from the group consisting of the polypeptide of SEQ ID NO:4, and polypeptides encoded by DNAs that hybridize under moderately stringent conditions to the DNA of SEQ ID NO:3 and further wherein the polypeptides block an inflammatory response selected from the group consisting of rheumatoid arthritis and inflammatory bowel disease.

a 4. The method of claim 1, wherein the IL-1 delta polypeptides are selected from the group consisting of polypeptides comprising variant amino acid sequence that are at least 80% identical to the polypeptide of SEQ ID NO:4.

a 5. The method of claim 2, wherein the IL-1 delta polypeptides are selected from the group consisting of polypeptides comprising variant amino acid sequence that are at least 80% identical to the polypeptide of SEQ ID NO:4.